



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

# NEWS RELEASE

**CONTACT:**

[Steve Schell](#), Communications Coordinator, AOPC  
(717) 231-3331

[Kristen L Houser](#), V.P. of Communications & Development, PCAR  
(717) 728-9740 x144, cell 814-933-9960.

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[WWW.PCAR.ORG](http://WWW.PCAR.ORG)



**BROADCAST EDITORS NOTE:** For audio actualities from Judge Panella click [here](#).

**Supreme Court Sponsors Collaborative Effort Yielding Judicial Benchbook**

**Handling Sex Crime Cases: Nation's First Guide**

**Published to Assist State District Judges**

**HARRISBURG, PA, March 10, 2011**—The nation's first Sexual Violence Benchbook designed specifically to guide state district judges in the handling of the crimes of sexual violence is being distributed to more than 540 magisterial districts judges throughout the state, the Pennsylvania Supreme Court today announced.

“The benchbook is a valuable resource for our front-line judges, a comprehensive guide providing ‘best practices’ and information to help district judges understand the intricacies and procedural requirements in these highly sensitive sexual offense cases,” Pennsylvania Supreme Court Justice J. Michael Eakin said.

Pennsylvania Superior Court Judge Jack Panella, the book's principal author, said, “We addressed the procedural and practical steps of sex offense cases and included detailed information regarding preliminary arraignments and hearings, standard of proof or probable cause to support charges, and the setting of bail and bail conditions to ensure the safety of alleged victims and witnesses.”

The benchbook was completed in collaboration with Criminal Justice Specialist Krista Hoffman from the Pennsylvania Coalition Against Rape (PCAR) and supported by a grant from the Pennsylvania Commission on Crime and Delinquency. The funding originated from the U.S. Department of Justice, Office of Violence Against Women.

“The benchbook provides special emphasis to the physical and psychological effects of a sexual assault on a victim and invaluable information regarding victim's rights and programs designed to assist in sexual abuse prevention, detection, recovery and protection,” said Delilah Rumburg, Chief Executive Officer of PCAR.

At the Dauphin County Courthouse today, Pennsylvania Supreme Court Justice J. Michael Eakin, a Benchbook Advisory Committee member, Judge Panella and Delilah Rumburg presented benchbooks to Dauphin County President Judge Todd Hoover, magisterial district judges and representatives from the county's District Attorney's office and Rape Crisis Center.

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“I thank all those involved, especially Superior Court Judge Jack Panella and Krista Hoffman, for leading this effort and pulling together a balanced advisory committee of judges, prosecutors, defense attorneys, researchers and practitioners with the expertise to assist in this endeavor,” Justice Eakin said.

The book is available to the public on PCAR's Web page <http://www.pcar.org/judiciary> and later this month it will be posted on the Pennsylvania Unified Judicial Systems' Web site at [www.pacourts.us](http://www.pacourts.us). In April and June, Judge Panella will offer an overview of the benchbook at magisterial district judge meetings.

“The book does not try to tell the judge how to rule, but rather attempts to provide information to help the judges reach informed and prompt decisions when relevant cases arise,” Judge Panella said.

“Magisterial districts judges should carefully follow the Rules of Criminal Procedure when determining bail and bail conditions,” Panella added. “They should consider a variety of factors ranging from the details about the alleged offense or offenses, defendants employment status, local family and other connections with the community and, of course, the defendants prior criminal record, past performance on bail and whether on not the defendant's has pending charges in other jurisdictions.”

The benchbook compliments a similar guide published in 2007 for Common Pleas judges and includes a complete listing of all crimes of sexual violence and is divided into the following sections:

- 1) **Section One** examines the dynamics of sexual assault crimes. Definitions associated with sexual offenses are provided, as well as discussions of Pennsylvania's current sexual offense laws and an overview of common defenses to sexual assault.
- 2) **Section Two** addresses the practical aspects of a sex offense case, including pre-trial issues, such as bail and preliminary hearings and useful information in the form of legal discussions.
- 3) **Section Three** includes published references and resources on sexual assault, as well as a list of Pennsylvania's 51 rape crisis centers and child advocacy centers.

Also contributing to the benchbook was Cumberland County Magisterial District Judge Charles A. Clement Jr. and members of a Benchbook Advisory Committee, which included Pennsylvania Supreme Court Justices Debra Todd, Seamus P. McCaffery, and Superior Court President Judge Correale F. Stevens and Judge John L. Musmanno. (*A complete list of Advisory Committee members is attached.*)

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**Editor's Note:** Photo attached: Supreme Court Justice J. Michael Eakin (far right), PA Coalition Against Rape Chief Executive Officer Deliliah Rumburg (left) present Dauphin County President Judge Todd Hoover with Sexual Violence Benchbook.

## Benchbook Advisory Committee

**Honorable J. Michael Eakin**

Supreme Court of Pennsylvania  
4720 Old Gettysburg Road  
Suite 405  
Mechanicsburg, PA 17055

**Honorable Seamus P. McCaffery**

Supreme Court of Pennsylvania  
Suite 4110  
1500 Market Street  
Philadelphia, PA 19102

**Honorable John L. Musmanno**

Superior Court of Pennsylvania  
Suite 4250  
301 Grant Street  
Pittsburgh, PA 15219

**Honorable Leonard Zito**

Northampton County Court of Common Pleas  
669 Washington Street  
Easton, PA 18042

**Honorable James J. Narlesky**

District Court 03-1-04  
2980 Linden Street  
Bethlehem, PA 18017-3297

**Honorable Bonnie L. Carney**

District Court 22-3-01  
94 Main Avenue  
Hawley, PA 18428-0350

**Honorable Debra Todd**

Supreme Court of Pennsylvania  
Suite 3130  
301 Grant Street  
Pittsburgh, PA 15219

**Honorable Correale F. Stevens**

Superior Court of Pennsylvania  
300 Laurel Professional Center  
121 Airport Road  
Hazelton, PA 18202

**Honorable Joseph M. James**

Allegheny County Court of Common Pleas  
414 Grant Street  
Suite 817  
Pittsburgh, PA 15219

**Steve N. Goudsouzian, Esquire**

Suite 301  
2925 William Penn Highway  
Easton, PA 18042

**Honorable Gay L. Elwell**

District Court 03-2-05  
6 South Third Street  
Easton, PA 18042

**Honorable Richard S. Dougherty, Jr.**

District Court 09-1-03  
98 S. Enola Drive, Suite #1  
Enola, PA 17025